

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01049-CRC

EQUITY FORWARD v. DEPARTMENT OF HEALTH AND
HUMAN SERVICES

Assigned to: Judge Christopher R. Cooper
Cause: 05:552 Freedom of Information Act

Date Filed: 05/03/2018

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

EQUITY FORWARD

represented by **David L. Sobel**
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V.

Defendant

**DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

represented by **Marsha Wellknown Yee**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
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LEAD ATTORNEY
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| Date Filed | # | Docket Text |
|------------|----------|---|
| 05/03/2018 | <u>1</u> | COMPLAINT <i>for Injunctive and Declaratory Relief</i> against DEPARTMENT OF HEALTH AND HUMAN SERVICES (Filing fee \$ 400 receipt number 0090-5459637) filed by EQUITY FORWARD. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons U.S. Attorney, # <u>3</u> Summons HHS, # <u>4</u> Summons Attorney General)(Sobel, David) (Entered: 05/03/2018) |
| 05/03/2018 | <u>2</u> | LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by EQUITY FORWARD (zsb) (Entered: 05/03/2018) |
| 05/03/2018 | | Case Assigned to Judge Christopher R. Cooper. (zsb) (Entered: 05/03/2018) |
| 05/03/2018 | <u>3</u> | SUMMONS (3) Issued Electronically as to DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 05/03/2018) |
| 06/06/2018 | <u>4</u> | NOTICE of Appearance by Marsha Wellknown Yee on behalf of DEPARTMENT OF HEALTH AND HUMAN SERVICES (Yee, Marsha) (Entered: 06/06/2018) |
| 06/06/2018 | <u>5</u> | ANSWER to Complaint by DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Yee, Marsha) (Entered: 06/06/2018) |
| 06/07/2018 | | MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. Since the requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure do not apply, it is hereby ORDERED that the parties shall confer and file a joint proposed schedule for briefing or disclosure by June 21, 2018. Signed by Judge |

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| | | Christopher R. Cooper on 6/7/2018. (lccrc2) (Entered: 06/07/2018) |
| 06/07/2018 | | Set/Reset Deadlines: Parties shall confer and file a joint proposed schedule for briefing or disclosure due by 6/21/2018. (znbn) (Entered: 06/07/2018) |
| 06/21/2018 | <u>6</u> | PROPOSED BRIEFING SCHEDULE (<i>Joint Proposed Schedule</i>) by DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Yee, Marsha) Modified event title on 7/3/2018 (znmw). (Entered: 06/21/2018) |
| 06/22/2018 | | VACATED PURSUANT TO MINUTE ORDER ENTERED 11/14/2018.....MINUTE ORDER: In light of <u>6</u> the parties' joint status report, production in this case shall proceed as follows: Defendant shall provide Plaintiff the total number of potentially responsive pages and shall make its initial production (for which it will process at least 750 pages) by July 23, 2018. Defendant shall thereafter make bi-monthly, rolling productions, for which it shall process at least 2,000 pages. The parties shall file a further joint status report regarding the status of production by September 28, 2018. Signed by Judge Christopher R. Cooper on 6/22/2018. (lccrc2) Modified on 11/15/2018 (zlsj). (Entered: 06/22/2018) |
| 06/22/2018 | | Set/Reset Deadlines: Joint Status Report due by 9/28/2018 (lsj) (Entered: 06/22/2018) |
| 09/28/2018 | <u>7</u> | Joint STATUS REPORT by DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Yee, Marsha) (Entered: 09/28/2018) |
| 10/03/2018 | | MINUTE ORDER: The parties shall file a further joint status report on or before January 30, 2019. The Court encourages the parties to continue their efforts to prioritize and streamline the agency's review of the remaining responsive documents. Should those efforts result in a need to revise the current production schedule, the parties should feel free to contact the Court prior to the due date for the next status report. Signed by Judge Christopher R. Cooper on 10/3/2018. (lccrc2) (Entered: 10/03/2018) |
| 10/03/2018 | | Set/Reset Deadlines: Joint Status Report due by 1/30/2019 (lsj) (Entered: 10/03/2018) |
| 11/13/2018 | <u>8</u> | Joint MOTION to Modify <i>Production Schedule Set Out in the Minute Order Dated June 22, 2018</i> by DEPARTMENT OF HEALTH AND HUMAN SERVICES (Attachments: # <u>1</u> Text of Proposed Order)(Yee, Marsha) (Entered: 11/13/2018) |
| 11/14/2018 | | MINUTE ORDER granting the parties' <u>8</u> Joint Motion to Modify the Production Schedule set out in the Court's minute order dated June 22, 2018. That order is hereby vacated. Defendant shall now process at least 1,250 potentially responsive pages bimonthly, reviewing only email messages and skipping attachments. Signed by Judge Christopher R. Cooper on 11/14/2018. (lccrc2) (Entered: 11/14/2018) |
| 01/23/2019 | <u>9</u> | Consent MOTION to Stay , MOTION for Extension of Time to <i>in Light of Lapse of Appropriations</i> by DEPARTMENT OF HEALTH AND HUMAN SERVICES (Attachments: # <u>1</u> Text of Proposed Order)(Hudak, Brian) (Entered: 01/23/2019) |
| 01/23/2019 | | MINUTE ORDER granting <u>9</u> Motion to Stay. All deadlines in the case shall be stayed pending renewed funding. Signed by Judge Christopher R. Cooper on 1/23/2019. (lccrc2) (Entered: 01/23/2019) |
| 02/01/2019 | | MINUTE ORDER: In light of the restoration of appropriations, the stay in this case is lifted. The parties shall provide a joint status report on or before February 8, 2019, which shall include a proposed schedule for future proceedings. Signed by Judge Christopher R. Cooper on 2/1/2019. (lccrc2) (Entered: 02/01/2019) |
| 02/05/2019 | | Set/Reset Deadlines: Joint Status Report due by 2/8/2019 (lsj) (Entered: 02/05/2019) |
| 02/08/2019 | <u>10</u> | Joint STATUS REPORT by DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Yee, Marsha) (Entered: 02/08/2019) |
| 02/08/2019 | | MINUTE ORDER: In light of <u>10</u> the parties' joint status report, the parties shall file an updated joint status report on or before May 30, 2019, which shall advise the Court on the status of production and propose a briefing schedule if necessary. Signed by Judge Christopher R. Cooper on 2/8/2019. (lccrc2) (Entered: 02/08/2019) |
| 02/08/2019 | | Set/Reset Deadlines: Joint Status Report due by 5/30/2019. (znbn) (Entered: 02/08/2019) |

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| 05/30/2019 | <u>11</u> | Joint STATUS REPORT by DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Yee, Marsha) (Entered: 05/30/2019) |
| 05/31/2019 | | MINUTE ORDER: In light of the parties' most recent joint status report, the parties are hereby ordered to submit an updated joint status report on or before September 30, 2019. Signed by Judge Christopher R. Cooper on 5/31/2019. (lccrc2) (Entered: 05/31/2019) |
| 06/03/2019 | | Set/Reset Deadlines: Joint Status Report due by 9/30/2019 (lsj) (Entered: 06/03/2019) |
| 09/30/2019 | <u>12</u> | Joint STATUS REPORT by DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Yee, Marsha) (Entered: 09/30/2019) |
| 10/01/2019 | | MINUTE ORDER: In light of <u>12</u> the parties' most recent joint status report, the parties are hereby ordered to submit an updated joint status report on or before January 23, 2020. Signed by Judge Christopher R. Cooper on 10/1/19. (lccrc2) (Entered: 10/01/2019) |
| 10/01/2019 | | Set/Reset Deadlines: Joint Status Report due by 1/23/2020. (nbn) (Entered: 10/01/2019) |